

Congress of the United States

House of Representatives

Washington, DC 20515

February 22, 2005

The Honorable Stephen L. Johnson
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Dear Acting Administrator Johnson:

We would like to express our concerns about the Environmental Protection Agency's (EPA) plans to proceed with a proposed policy guidance that would allow sewage treatment plants to discharge inadequately treated sewage into waterways. Under this proposal, publicly owned treatment works (POTWs) could divert sewage around secondary treatment units, then combine the filtered but untreated sewage with fully treated wastewater before discharge in a process called "blending". Implementing this guidance would effectively lift the current prohibition on bypassing the biological treatment of sewage to remove most pathogens from wastewater, a crucial second treatment step used during periods of wet weather.

We believe that there should be less sewage entering our environment, not more. The proposed guidance is inconsistent with sewage treatment standards required by the Clean Water Act and its implementing regulations. It would undo many of the public health and environmental gains achieved over the last 30 years under the Clean Water Act.

Federal taxpayers have invested billions in sewage treatment infrastructure, resulting in decades of progress in reducing waterborne illness, beach closures, shellfish bed closures, and drinking water contamination. Unfortunately, whenever there is an accidental breach in sewage treatment facilities, we see the repercussions of polluted water to human health, our constituents' livelihoods, and tourism. That is why it is sound economic and environmental policy to invest in effective sewage treatment to ensure that the U.S. has healthy and vibrant aquatic ecosystems and clean water, not to allow more sewage into our environment.

We understand the nature of the problem of excessive solids losses and disruption of the biological treatment stage during periods of heavy inflow of water into the collection system. It is unacceptable, however, to use sewage blending during rain events as a bandage to cover these infrastructure shortfalls. To truly solve this problem, we need to make significant new financial investments in improved wastewater treatment infrastructure.

The EPA should enforce existing Clean Water Act regulations instead of attempting to change the law so that more sewage would enter into the environment where it will make people ill, sicken our wildlife, and contaminate our waters. We also urge the EPA to ask the Office of Management and Budget to provide substantial additional funding for sewage treatment upgrades through the Clean Water State Revolving Fund, as recommended by the U.S. Commission on Ocean Policy. These upgrades include the construction of additional capacity and short-term storage until the sewage can be fully treated.

We find it disappointing that the EPA continues to consider a policy change that would worsen our nation's water quality, and we urge you not to implement the guidance. Thank you for your consideration of this matter.

Sincerely,